

Maine Revised Statutes
Title 33: PROPERTY
Chapter 7: CONVEYANCE OF REAL ESTATE

§173. REQUIRED DISCLOSURES

Unless the transaction is exempt under section 172, the seller of residential real property shall provide to the purchaser a property disclosure statement containing the following information: [1999, c. 476, §1 (NEW).]

1. Water supply system. The type of system used to supply water to the property. If the property has a private water supply, the seller shall disclose:

- A. The type of system; [1999, c. 476, §1 (NEW).]
- B. The location of the system; [1999, c. 476, §1 (NEW).]
- C. Any malfunctions of the system; [1999, c. 476, §1 (NEW).]
- D. The date of the most recent water test, if any; and [1999, c. 476, §1 (NEW).]
- E. Whether the seller has experienced a problem such as an unsatisfactory water test or a water test with notations; [1999, c. 476, §1 (NEW).]

[1999, c. 476, §1 (NEW) .]

2. Insulation.

[2005, c. 378, §29 (AFF); 2005, c. 378, §25 (RP) .]

2-A. Heating system or heating source. Detailed information on the system or source used to supply heat to the property, including:

- A. The type of heating system or source; [2005, c. 378, §26 (NEW); 2005, c. 378, §29 (AFF).]
- B. The age of the heating system or source; [2005, c. 378, §26 (NEW); 2005, c. 378, §29 (AFF).]
- C. The name of the company that services the heating system or source; [2005, c. 378, §26 (NEW); 2005, c. 378, §29 (AFF).]
- D. The date of the most recent service call on the heating system or source; [2005, c. 378, §26 (NEW); 2005, c. 378, §29 (AFF).]
- E. The annual fuel consumption per heating system or source; and [2005, c. 378, §26 (NEW); 2005, c. 378, §29 (AFF).]
- F. Any malfunctions per heating system or source within the past 2 years; [2005, c. 378, §26 (NEW); 2005, c. 378, §29 (AFF).]

[2005, c. 378, §26 (NEW); 2005, c. 378, §29 (AFF) .]

3. Waste disposal system. The type of waste disposal system used on the property. If the property has a private waste disposal system, the seller shall disclose:

- A. The type of system; [1999, c. 476, §1 (NEW).]
- B. The size and type of the tank; [1999, c. 476, §1 (NEW).]
- C. The location of the tank; [1999, c. 476, §1 (NEW).]

- D. Any malfunctions of the tank; [1999, c. 476, §1 (NEW).]
- E. The date of installation of the tank; [1999, c. 476, §1 (NEW).]
- F. The location of the leach field; [1999, c. 476, §1 (NEW).]
- G. Any malfunctions of the leach field; [1999, c. 476, §1 (NEW).]
- H. The date of installation of the leach field; [1999, c. 476, §1 (NEW).]
- I. The date of the most recent servicing of the system; [1999, c. 476, §1 (NEW).]
- J. The name of the contractor who services the system; and [1999, c. 476, §1 (NEW).]
- K. For systems within shoreland zones, disclosures on septic systems required by Title 30-A, section 4216; [1999, c. 476, §1 (NEW).]

[1999, c. 476, §1 (NEW) .]

4. Hazardous materials. The presence or prior removal of hazardous materials or elements on the residential real property, including, but not limited to:

- A. Asbestos; [1999, c. 476, §1 (NEW).]
- B. Lead-based paint for pre-1978 homes in accordance with federal regulations; [2011, c. 96, §5 (AMD) .]
- C. Radon; and [1999, c. 476, §1 (NEW).]
- D. Underground oil storage tanks as required under Title 38, section 563, subsection 6; and [1999, c. 476, §1 (NEW).]

[2011, c. 96, §5 (AMD) .]

5. Known defects. Any known defects.

[1999, c. 476, §1 (NEW) .]

SECTION HISTORY

1999, c. 476, §1 (NEW). 2005, c. 339, §3 (AMD). 2005, c. 378, §§25,26 (AMD). 2005, c. 378, §29 (AFF). 2011, c. 96, §5 (AMD).

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